

ASSEMBLY BILL

No. 1721

**Introduced by Committee on Labor and Employment (Koretz
(Chair), Mullin (Vice Chair), Chu, Hancock, Laird, and
Negrete McLeod)**

February 27, 2003

An act to add Section 245 to the Labor Code, relating to wages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1721, as introduced, Committee on Labor and Employment. Wages.

Under existing law, the Labor Commissioner may make determinations as to the validity of employee's claims for wages.

This bill would provide that when the Labor Commissioner makes a determination that an employee's wage claim is valid and that an employer has violated the wage and hour laws of the state, the Labor Commissioner shall also require the employer to post a notice describing the violation and declaring that the employer will not violate the wage and hour laws of the state in the future.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 245 is added to the Labor Code, to read:
- 2 245. When the Labor Commissioner has determined that an
- 3 employee's wage claim is valid and an employer has violated any
- 4 provision of this chapter, the Labor Commissioner shall also order
- 5 the employer to post a notice at the place of employment where the

1 violation occurred, containing a description of the nature of the
2 violation, a declaration by the employer that it will not engage in
3 these unlawful acts in the future, and the address and telephone
4 number of the Labor Commissioner. The notice, on a form
5 approved by the Labor Commissioner, shall be conspicuously
6 posted by the employer for a period of not less than 60 days. The
7 notice shall bear the seal of the State of California and the signature
8 of the employer or the employer's agent or representative. The
9 employer shall bear the cost of producing and posting the notice.
10 An employer's failure or refusal to post the notice shall subject the
11 employer to a civil penalty, assessed and collected by the Labor
12 Commissioner, in the amount of five hundred dollars (\$500) for
13 each failure or refusal.

